

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FILED NOV 21 2016

JAMES B. JONES, JR., : CIVIL ACTION
Petitioner, :
: No. 16-1325
v. :
: COMMONWEALTH OF
PENNSYLVANIA, et al., :
Respondents. :

ORDER

AND NOW, this 18th day of November, 2016, having considered the Petition for Writ of *Habeas Corpus* filed by Petitioner (Docket No. 1), the Response thereto (Docket No. 9), Petitioner's Reply (Docket No. 10), U.S. Magistrate Linda K. Caracappa's Report & Recommendations (Docket No. 11), and Petitioner's Objection to the Report & Recommendations (Docket No. 14), it is hereby ORDERED that:

1. The Petitioner's Objection (Docket No. 14) is OVERRULED.¹
2. The Report & Recommendations are APPROVED and ADOPTED.
3. The Petition for Writ of Habeas Corpus (Docket No. 1) is DISMISSED with prejudice without an evidentiary hearing.
4. There is no probable cause to issue a certificate of appealability.²

¹ Petitioner filed no substantive objections to Magistrate Judge Caracappa's Report & Recommendations. Rather, Petitioner only stated that he objected, without providing any legal grounds or reasoning for his objection. Because the Court adopts Magistrate Judge Caracappa's Report & Recommendations for the reasons stated therein, the Court overrules Petitioner's objection.

² A certificate of appealability may issue only upon "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). A petitioner must "demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *Lambert v. Blackwell*, 387 F.3d 210,

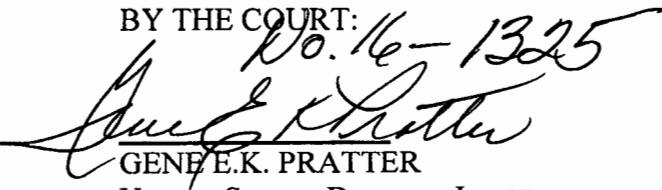
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CLERK OF COURT

5. The Clerk of Court shall mark this case **CLOSED** for all purposes, including statistics.

BY THE COURT:

No. 16-1325
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE

230 (3d Cir. 2004). The Court agrees with U.S. Magistrate Judge Caracappa that there is no probable cause to issue such a certificate in this action.